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21 AT&T SERVICES, INC. and AT&T INC.

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23  
24 UNITED STATES DISTRICT COURT  
25  
26 CENTRAL DISTRICT OF CALIFORNIA

27 HERRING NETWORKS, INC., a  
28 California corporation,

Plaintiff,

v.  
29 AT&T SERVICES, INC., a Delaware  
30 corporation; and AT&T INC., a  
31 Delaware corporation,

Defendants.

CASE NO. 16-cv-01636-CAS-AGR

**REQUEST FOR CLARIFICATION  
REGARDING ORDER TO REASSIGN  
CASE IN *UNITED STATES OF  
AMERICA V. DIRECTV GROUP  
HOLDINGS, LLC, ET AL.*, CASE NO.  
16-CV-8150 MWF (Ex)**

COMPLAINT FILED: March 9, 2016  
TRIAL DATE: September 19, 2017

On January 9, 2017, the Court issued an Order to Reassign Case Due to Self-Recusal Pursuant to General Order 14-03 (the “Order to Reassign Case”) in the matter of *United States of America v. DIRECTV Group Holdings, LLC, et al.*, Case No. 16-cv-8150 MWF (Ex) (the “DOJ Matter”). The stated reason for recusal was the following: “Judge Snyder holds a financial interest in defendant.” Defendants assume that the Court was referring to defendant AT&T Inc., since it is the only publicly traded company named in the DOJ Matter.

In the instant matter, Defendants are AT&T Inc. and AT&T Services, Inc. Defendant AT&T Services, Inc. is a subsidiary of Defendant AT&T Inc., but it is not a publicly traded company. AT&T Inc. is the only publicly traded company named in this lawsuit, just as in the DOJ Matter. Accordingly, Defendants seek clarification as to whether a similar recusal is warranted here.

Dated: January 18, 2017

Respectfully submitted,

## GIBSON, DUNN & CRUTCHER LLP

By: /s/ James L. Zelenay Jr.

James L. Zelenay Jr.

Attorney for Defendants AT&T SERVICES,  
INC., a Delaware corporation, AT&T INC., a  
Delaware corporation

## CERTIFICATE OF SERVICE

I, James L. Zelenay Jr., declare as follows:

I am employed in the County of Los Angeles, State of California, I am over the age of eighteen years and am not a party to this action; my business address is 333 South Grand Avenue, Los Angeles, CA 90071, in said County and State. On January 18, 2017, I served the following document(s):

**REQUEST FOR CLARIFICATION REGARDING ORDER TO  
REASSIGN CASE IN *UNITED STATES OF AMERICA V. DIRECTV  
GROUP HOLDINGS, LLC, ET AL.*, CASE NO. 16-CV-8150 MWF  
(Ex)**

on the parties stated below, by the following means of service:

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**Attorneys for Plaintiff  
HERRING NETWORKS, INC.**

- BY ELECTRONIC TRANSFER TO THE CM/ECF SYSTEM:** On this date, I electronically uploaded a true and correct copy in Adobe “pdf” format of the above-listed document(s) to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon receipt of the Notice of Electronic Filing (“NEF”) by the registered CM/ECF users.

**(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 18, 2017.

/s/ James L. Zelenay Jr.

James L. Zelenay Jr.